

**FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY (CRA)
CITY COMMISSION CONFERENCE ROOM
NOVEMBER 20, 2001**

Mayor Naugle called the meeting to order at 4:11 P.M. Roll was called, and a quorum was present.

Present: Mayor Naugle
Commissioner Cindi Hutchinson
Commissioner Gloria F. Katz
Commissioner Carlton Moore (4:13)
Commissioner Tim Smith

Absent: None

Also Present: City Manager
City Attorney
City Clerk

Approval of Minutes – October 2, 2001

Motion made by Commissioner Hutchinson and seconded by Commissioner Katz that the minutes of the October 2, 2001 meeting be approved as presented. Roll call showed: YEAS: Commissioners Smith, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Development Agreement – Jefferson Place, L.P.

A motion was presented for consideration authorizing the proper City officials to execute a development agreement between the Fort Lauderdale Community Redevelopment Agency and Jefferson Place, L.P. for construction of a mixed-use residential development in the Flagler Heights areas.

At 4:13 P.M., Commissioner Moore arrived at the meeting.

Mr. Robert Lochrie, Attorney representing Jefferson Place, stated that he had been working with the CRA Director on this development agreement to memorialize the presentation made to the Commission about a year ago. He stated that the project had grown by 18 units to 243 units, and the overall height of the building had been reduced from eight stories to five stories. In addition, the garage on the south had been completely wrapped with residential units. Mr. Lochrie advised that the community had raised some concerns, and they had been addressed.

Mr. Lochrie said one request involved creation of an urban element on 3rd Avenue by eliminating a landscaped ban separating the arcade storefronts from the sidewalk. He stated that a plan had been devised, and an application would be presented to the Board of Adjustment for a variance as to the landscaped area. If granted, those changes would be made at the request of the neighborhood. Mr. Lochrie stated that another concern related to entry points to the building from a ground level perspective, and a central element had been added to serve as the main entry to the project from 3rd Avenue.

Mr. Lochrie reported that additional awnings and architectural detailing would be added to the building, along with additional signage, to provide more of an urban feel along 3rd Avenue. Another request had been to eliminate a ground level apartment at the corner of 3rd Avenue and 6th Street, and that had been replaced with a fitness center as shown on the DRC-approved plan under review at this time. He advised that store-type windows would be provided so the activity within the fitness center would be visible from both 3rd Avenue and 6th Street, with variety store frontage all along 3rd Avenue. Mr. Lochrie pointed out that the building had also been "broken up" in several places to provide more of a mixed-use differential and eliminate monotony by separating the different design elements of the structure.

Commissioner Smith was happy that the developer had responded to the concerns of the community on each and every point raised. Mayor Naugle referred to the development agreement. He questioned the discount rate of 42% and wondered if the City Manager was comfortable with it. He said he was comfortable with it. Mayor Naugle thought it would behoove the City to make earlier payments to avoid that usurious interest rate. The City Manager stated that there had been some give and take on both sides, and he felt this was a fair way to approach this given the risk factors. He added that this was being presented with his strong recommendation for approval.

Mayor Naugle referred to infrastructure improvements by the developer and reimbursed for any additional costs. In another area, it indicated that any overruns in the estimated cost were a development responsibility. He wondered if the intent had been to refer to the actual cost. Commissioner Smith understood any overruns in the actual cost were the responsibility of the developer. The City Manager agreed the intent was to address actual cost over estimates.

Mayor Naugle referred to \$3.5 million for road improvements on 6th Street. He wondered what would happen if the cost came in much higher. Commissioner Smith thought that meant the City would commit to spending no more than \$3.5 million. He pointed out that this involved a County road, so the City could only do what the County allowed. It was noted that it would take up to a year to arrive at a design with cooperation between the City, the County, and the developer.

Mayor Naugle referred to off-site improvements in the amount of \$800,000. He understood the City would provide the first \$180,000, with the developer paying the balance. The City Manager agreed that was correct. Mayor Naugle also understood the developer would pay taxes just as other property owners did, and it did not allow advertisement for a tax certificate. The City Manager believed that would be precluded. Mayor Naugle desired some clarification of that point because some property owners let their taxes go.

Commissioner Smith wanted the developer to notify the City if it closed on the property before the end of the month. Mr. Lochrie reported that closing was scheduled for November 30, 2001, and this development agreement was one outstanding issue. Another was the approval of the site plan. That had been received last week, but the 30-day call-up period was currently running. Commissioner Smith had received the call-up notice, and he had returned his indicating he did not intend to call up the project. Mayor Naugle, Commissioner Hutchinson, and Commissioner Katz announced that they did not intend to do so either.

Commissioner Smith understood the Board of Adjustment would have to grant a variance in order to remove the ribbon of landscaping between the building and sidewalk, which he felt made no sense in this urban environment. He hoped that was something the Commission would address in terms of a Code amendment. Commissioner Smith asked if application to that Board would be made within the next 60 days. Mr. Lochrie said application would be made, along with another to place the building closer to 3rd Avenue and to allow the awnings, which were otherwise prohibited.

Mayor Naugle asked what would happen if the Board did not grant the variances. Mr. Lochrie replied that the developer would proceed with all the changes possible without those waivers. Commissioner Smith noted that the Commission could change the Code, and he thought that process should be moved forward on a parallel track. He pointed out that it did not make sense to require this landscaping in an urban environment.

Commissioner Smith asked when building permit applications would be submitted. Mr. Lochrie stated that there was no deadline for the permit applications, although construction had to commence within two years. However, the developer was committed to apply for permits within six months and do everything possible to expedite the process.

Commissioner Moore referred to 6th Street. He was quite annoyed with Broward County insofar as how the City was treated. Commissioner Moore felt the City was in the best position to know the desires of its constituency. He stated that the community had already decided what it wanted in other sections of the Sistrunk Boulevard corridor, but the County had other opinions. He felt the County was entitled to an opinion, but he felt the City Manager should expeditiously present issues to the County Commission that this Commission had "put to bed." Commissioner Moore said those included the narrowing of lanes on Sistrunk Boulevard and the 7th/9th Avenue Connector project, but the County Commission had elected to do nothing with respect to the latter, and he found that insulting. He wanted the City Manager to take these matters to the County Commission as soon as possible.

Commissioner Smith believed the design of this portion of the Corridor was necessary first. Commissioner Moore felt the conceptual plan should be approved now. He pointed out that Fort Lauderdale taxpayers were County taxpayers as well. Ms. Kim Jackson, CRA Manager, thought the City could apply its position, which would be helpful because County staff approached these things from a traffic moving standpoint rather than a redevelopment standpoint. She stated that 6th Street had not gone through the design process, although Sistrunk Boulevard was further ahead. Ms. Jackson said that staff could take a different approach in order to expedite the process.

Commissioner Moore wanted the County Commission to agree or disagree on these projects. Commissioner Hutchinson felt Andrews Avenue should be considered at the same time. She did not think there were design issues related to Andrews Avenue as much as there were right-of-way issues. Commissioner Katz noted there were jurisdictional issues related to 62nd Street, and the County Commission had already conceptually approved the plan. However, County staff had been dragging the project on for the past two years. Commissioner Moore pointed out that these delays were preventing private investment in Fort Lauderdale, and he did not think the County Commission would be happy to learn that their staff was "driving this bus."

The City Manager believed that in a couple of the cases mentioned, the County Commission had already instructed their staff to put certain matters back on the agenda. However, he did not want this to become a "tit for tat" situation. He pointed out that there were a number of different items for which County favor was being depended upon in order to realize the overall redevelopment of this area. The City Manager committed to speaking with the County Administrator about placing matters on the County Commission agenda that were expected to have a favorable outcome. He also agreed to raise discussion points on those items in which there appeared to be some disagreement, although there had been tacit agreement on some issues with the County Commission at the last joint meeting. The City Manager said he would provide a report at the end of the week in this regard.

Motion made by Commissioner ? and seconded by Commissioner ? to authorize the proper City officials to execute the development agreement between the Fort Lauderdale Community Redevelopment Agency and Jefferson Place, L.P. for construction of a mixed-use residential development in the Flagler Heights area. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, and Katz. NAYS: Mayor Naugle.

Commissioner Moore wished to take this opportunity to compliment staff and the CRA Advisory Board members because this had been a difficult agreement to negotiate. He felt this was a critical development, and he hoped the Konover deal would get the same level of attention. The City Manager noted that the Konover situation had its own challenges, but he was hopeful this would not take a year. Commissioner Moore understood the CRA Manager would be focused on the Konover deal, and the City Manager agreed that was correct.

Mayor Naugle hoped more ownership projects would be forthcoming in the future in order to increase the percentage of home ownership in the City, which was woefully low when compared to the rest of the nation at 55% ownership v 45% rental.

Commissioner Smith said he planned to request a motion for call-up of the project discussed earlier at the meeting this evening, and he hoped for a unanimous vote to oppose a call-up. He felt the developer needed some assurance in order to move forward with the property purchase. Commissioner Moore was supportive of the project, but he was not yet ready to waive the call-up privilege today. Mayor Naugle noted that the call-up period expired on December 11, 2001.

There being no further business before the Board of Commissioners, the meeting was adjourned at 4:37 P.M.